

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:19-CR-143-HTW-FKB

JUANA LUCAS-PEREZ

STATUS REPORT

1. What is the Defendant's Primary language?

- For the Government: NA
- For the Defendant: To our knowledge, the Defendant primarily speaks Chuj.

2. Where is the Defendant currently housed?

- For the Government: LaSalle Detention Facility in Jena, Louisiana.
- For the Defendant: The Defendant is currently being held in ICE custody at the LaSalle Detention Facility in Jena, Louisiana.

3. Are the parties prepared to go to trial? If not, why not?

- For the Government: Yes.
- For the Defendant: Outside of the initial meeting at arraignment, counsel has been unable to meet with the Defendant due to a lack of Chuj interpreters. Therefore, counsel is not prepared to proceed to trial at this point in time.

4. Is the Defendant intending on entering a plea of guilty or a guilty plea combined with an expedited sentencing hearing? If so, the parties must contact the Court jointly to schedule a change of plea hearing immediately.

- For the Government: The Defendant should have received the Government's plea offer after the detention hearing, together with discovery. If so, that offer expired after 7 days.

- For the Defendant: Counsel has not been able to meet with the Defendant due to the Chuj interpreter issue. As such, the plea offer has not been discussed with the Defendant and it is unknown at this time whether the Defendant wishes to plea or proceed to trial.

5. What motions are outstanding? List motions and a brief synopsis.

- For the Government: The Government filed its Response in Opposition to the Motion to Dismiss Indictment at docket entry no. 23, on September 18, 2019. The Indictment is legally sufficient, and dismissal for difficulty in finding an interpreter is neither authorized, proven on the record, nor called for in this instance.
- For the Defendant: There is a Motion to Dismiss Indictment that was filed by defense counsel on September 10th (docket entry no. 22). The Motion seeks a dismissal based on the lack of Chuj interpreters nationwide. This has resulted in a complete lack of ability to communicate with the client and properly discuss the plea offer and discovery materials in this matter.

6. How long will the trial last? How many witnesses is each side intending on calling?

- For the Government: The Government anticipates a case in chief with 4 witnesses to take up to 2 days.
- For the Defendant: Defense defers to the Government's trial estimate. Due to a lack of communication with the Defendant, we are unable to provide an estimated number of witnesses.

7. By the parties' estimation, how many days remain on the defendant's Speedy Trial Act clock?

- For the Government: As of September 26, 2019, the Government calculates there are 58 days remaining on the Speedy Trial Act clock.
- For the Defendant: Defense agrees with the Government's estimate.

RESPECTFULLY SUBMITTED, this the 26th day of September, 2019.

By: /s/Omodare B. Jupiter
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CERTIFICATE OF SERVICE

I, Omodare B. Jupiter, do hereby certify that on the 26th day of September, 2019, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to all parties of record.

/s/Omodare B. Jupiter
Omodare B. Jupiter
Federal Public Defender